

A CERTIFIED TRUE COPY

JUL 16 2007

ATTEST *Thomas L. Hillman*
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONFILED JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUL 25 2006

JUN 28 2007

RICHARD W. WIEKING, CLERK, U.S. DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
CLERK'S OFFICE

DOCKET NO. 1850

C 07-1809 MMC

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On June 19, 2007, the Panel transferred 12 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* F.Supp.2d (J.P.M.L. 2007). With the consent of that court, all such actions have been assigned to the Honorable Noel L. Hillman.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Hillman.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of June 19, 2007, and, with the consent of that court, assigned to the Honorable Noel L. Hillman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

Inasmuch as no objection is pending at this time, the stay is lifted.

JUL 16 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**SCHEDULE CTO-1 - TAG-ALONG ACTIONS
DOCKET NO. 1850
IN RE PET FOOD PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ARKANSAS EASTERN ARE 4 07-376	Scott Stacey, et al. v. Nestle SA, et al.
ARKANSAS WESTERN ARW 4 07-4036 ARW 5 07-5065	Kirby Cooper v. Menu Foods Income Fund, et al. Sandra L. Gray, et al. v. Menu Foods, et al.
CALIFORNIA CENTRAL CAC 2 07-1987 CAC 2 07-2060 CAC 2 07-2253 CAC 2 07-2338 CAC 2 07-2476 CAC 2 07-2779 CAC 2 07-2964 CAC 5 07-398	Paul Randolph Johnson, et al. v. Menu Foods, Inc., et al. Dawn Howe v. Menu Foods Ltd., et al. Lois Grady, et al. v. Menu Foods Income Fund, et al. Kelly Finestone v. Menu Foods, Inc., et al. Richard Chamberlain v. Nestle SA, et al. Ken Wahl, et al. v. Menu Foods Income Fund, et al. Jayne Englander, et al. v. Menu Foods Income Fund, et al. Dennis Lee Townsend, et al. v. Menu Foods Ltd., et al.
CALIFORNIA EASTERN CAE 2 07-654	Cheryl Carver v. Del Monte Foods Co., et al.
CALIFORNIA NORTHERN CAN 3 07-1809 CAN 3 07-2665	Sherry Ingles v. Menu Foods, Inc., et al. Diane Lowery v. Menu Foods Income Fund, et al.
CALIFORNIA SOUTHERN CAS 3 07-705 CAS 3 07-706 CAS 3 07-734 CAS 3 07-951	Robert Payne, et al. v. Menu Foods, Inc., et al. Diane Swarberg v. Menu Foods Holding, Inc., et al. Hayley Ford, et al. v. Menu Foods Income Fund, et al. John Colliard v. Menu Foods, Inc., et al.
COLORADO CO 1 07-736	Emily Tompkins v. Menu Foods Midwest Corp., et al.
FLORIDA MIDDLE FLM 2 07-235 FLM 6 07-803	Maria Teresa Ferrarese v. Menu Foods, Inc., et al. George Birney, et al. v. Menu Foods, Inc.
FLORIDA SOUTHERN FLS 1 07-20955	Stephen Donnelly, et al. v. Menu Foods, Inc., et al.
IDAHO ID 1 07-160	Larry Klimes, et al. v. Menu Foods
ILLINOIS NORTHERN ILN 1 07-2162 ILN 1 07-2183 ILN 1 07-2211 ILN 1 07-2237	Heather Amro v. Menu Foods Income Fund, et al. Gary Bruski v. Menu Foods, Inc., et al. Raymond Demith, et al. v. Nestle Purina Petcare Co., et al. Sonja Foxe v. Menu Foods, Inc., et al.

SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
MASSACHUSETTS MA 1 07-10745 MA 1 07-10797	Lidia Rodrigues v. Menu Foods, Inc., et al. Megan Connerton, et al. v. Menu Foods Midwest Corp., et al.
MAINE ME 2 07-54	Mara Brazilian v. Menu Foods Income Fund, et al.
MINNESOTA MN 0 07-1808 MN 0 07-2108	Stephanie Rozman v. Menu Foods Midwest Corp., et al. Wendy Krosschell v. Menu Foods Income Fund, et al.
MISSOURI WESTERN MOW 3 07-5041	Richard Schwinger v. Menu Foods, et al.
MISSISSIPPI SOUTHERN MSS 5 07-105	Sarah Cavin v. Menu Foods, et al.
NEVADA NV 2 07-686 NV 3 07-159	<u>Maragaret Picus v. Wal-Mart Stores, Inc., et al.</u> Opposed 7-16-07 Marion Streczyn v. Menu Foods, Inc., et al.
NEW YORK SOUTHERN NYS 1 07-3236	Mark Cashman, et al. v. Menu Foods Midwest Corp., et al.
OHIO NORTHERN OHN 1 07-1018	Gregory Boehm v. Menu Foods, Inc., et al.
PENNSYLVANIA MIDDLE PAM 1 07-929	Dixie Keller v. Menu Foods Ltd., et al.
RHODE ISLAND RI 1 07-115	Carol Brown v. Menu Foods, Inc., et al.
TENNESSEE EASTERN TNE 3 07-98	Barbara Light v. Menu Foods Income Fund
WASHINGTON WESTERN WAW 2 07-575 WAW 2 07-576 WAW 2 07-577 WAW 2 07-634 WAW 2 07-666 WAW 2 07-667 WAW 2 07-668 WAW 2 07-669 WAW 2 07-670 WAW 2 07-684 WAW 2 07-685	Laura Migliore v. Menu Foods Gail Moran v. Menu Foods Sheryl Puett v. Menu Foods Daniel Ray Reeves v. Menu Foods Sheree A. Robinson v. Menu Foods Phyllis A. Ullman v. Menu Foods Elizabeth Palmer v. Menu Foods Jason Labbate v. Menu Foods Megan Whitt v. Menu Foods Linda Weitz v. Menu Foods Michelle Adams v. Menu Foods

SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
WAW 2 07-686	Lerae Dineen v. Menu Foods
WAW 2 07-687	Sandra Shingle v. Menu Foods
WAW 2 07-688	Gary Thomas v. Menu Foods
WAW 2 07-689	Deborah A. Mullen v. Menu Foods
WAW 2 07-690	Helen Percy v. Menu Foods
WAW 2 07-745	Paula Monk v. Menu Foods
WAW 2 07-746	Tony Boyer v. Menu Foods
WAW 2 07-747	Norman Brenton v. Menu Foods
WAW 2 07-748	Lynda Nagel v. Menu Foods
WAW 2 07-749	Teresa Eilers v. Menu Foods
WAW 3 07-5204	Jeff Rusiecki v. Menu Foods
WAW 3 07-5205	Nancy Guthrie v. Menu Foods
WISCONSIN WESTERN	
WIW 3 07-159	Jacqueline Johnson v. The Procter & Gamble Co., et al.
WIW 3 07-248	Penny J. Roberts, et al. v. Menu Foods Income Fund, et al.

UNITED STATES DISTRICT COURT
MARTIN LUTHER KING, JR.
FEDERAL BLD & U.S. COURTHOUSE
50 WALNUT STREET
P.O. BOX 419
NEWARK, N.J. 07101-0419

William T. Walsh
Clerk

CAMDEN OFFICE
4th & Cooper Streets
P.O. Box 2797
Camden, N.J. 08101

TRENTON OFFICE
402 East State Street
P.O. Box 515
Trenton, N.J. 08603

July 20, 2007

RECEIVED

JUL 25 2007

REPLY TO: CAMDEN

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

W. Samuel Hamrick, Jr., Clerk
4290 Edward J. Schwartz Federal Building
880 Front Street
San Diego, CA 92101-8900

Re: MDL1850 In Re: Pet Food Products Liability Litigation

District of New Jersey Civil Action No. 1:07cv2867(NLH)(AMD)

Dear Clerk:

Enclosed is a certified copy of the Order of the Judicial Panel on Multidistrict Litigation, transferring certain action(s) presently pending in your Court to the District of New Jersey and assigning it to the Honorable Noel L. Hillman, USDJ for coordinated or consolidated pretrial proceedings pursuant to 28 USC 1407. Please see the attached list for the cases that pertain to your Court.

If your court is currently on CM/ECF Version 3.0 you can transfer the case to us via Case Extraction in Utilities. If you have any questions, please call me at 856-757-5021.

Please return the copy of this letter when transmitting your file(s) and certified copy of the docket sheet(s).

Sincerely,

WILLIAM T. WALSH, Clerk

s/Marcy Barratt
Deputy Clerk

Enc.

cc: Jeffrey N. Luthi
Clerk, Judicial Panel on Multidistrict Litigation